

**Minutes of the Regular Planning Board Meeting
Tuesday, May 27, 2008**

1. CONVENE: 7:01 p.m.
2. FLAG SALUTE: Board member Ezzy Ashcraft.
3. ROLL CALL: Acting President Kohlstrand, Board Members Autorino, Cunningham, Ezzy Ashcraft, and McNamara.

Also present were Andrew Thomas, Planning Services Manager, City Attorney Donna Mooney; Gail Payne, Public Works; Althea Carter.

President Cook and Board member Lynch were absent from roll call.

Acting President Kohlstrand welcomed Art Autorino to the Planning Board.

4. MINUTES:
 - a. Minutes for the meeting of April 14, 2008 (pending).

These minutes will be considered at a later meeting.

- b. Minutes for the meeting of April 28, 2008.

Board member Ezzy Ashcraft noted that page 13, paragraph 4, should be changed to read, "Board member Ezzy Ashcraft would like to hear more about ~~forum~~ form-based codes..."

Board Member Ezzy Ashcraft moved to approve the minutes of April 28, 2008, as amended.

Board member Ezzy Ashcraft seconded the motion, with the following voice vote – 4. Noes: 0
Absent: 2 (Cook/Lynch); Abstain: 1 (Autorino). The motion passed.

- c. Minutes for the meeting of May 12, 2008 (pending).

These minutes will be considered at a later meeting.

5. AGENDA CHANGES AND DISCUSSION:

Acting President Kohlstrand noted that speaker slips had been received for Item 8-A, and suggested that it be moved to the Regular Agenda.

Acting President Kohlstrand recommended that 8-C be pulled from the Consent Calendar and be placed on the Regular Agenda.

6. PRESENTATIONS:
 - a. Staff Communications – Future Agendas

Mr. Thomas provided an update on future agenda items.

b. Zoning Administrator Report

There was no report.

7. ORAL COMMUNICATION: None.

8. CONSENT CALENDAR:

8-A. **UP06-0010 – 1310 Central Avenue.** Required Six Month Review of Use Permit for the extended hours of operation for the Alameda Valero Gas Station. The subject property is located in the R-4 (Neighborhood Residential) Zoning District. (DV)

Mr. Thomas presented the staff report. Staff recommended that the Planning Board accept the Six-Month Review and find that Alameda Valero Gasoline was in conformance with the conditions of the Use Permit. The station would continue under the terms of the Use Permit, and no further reviews would be required. Any violations would initiate Code Enforcement actions, up to and including revocation of the Use Permit.

The public hearing was opened.

Mr. Phil Gravem, 1344 Sherman Street, spoke in support of this project. He noted that he lived across the street from this gas station. He noted that the shortened hours had been beneficial, and added that he was concerned about cars that were parked outside the bays and on the streets. He stated that things had generally been going well.

Ms. Patricia Kinzel, 1307 Central Avenue, noted that she was undecided about this issue. She thanked Barbara Price of Public Works for changing the timing on the lights.

Mr. Luon Zergser, applicant, Alameda Valero, 1310 Central Avenue, noted that some customers' cars were parked on the street when they did not come to pick them up before the station closed. He did not want to lock the cars in the garage in the event the customers came after hours for their cars.

In response to an inquiry by Board member McNamara why some of the cars were parked partially out of the garage, Mr. Zergser replied that because of the configuration of the smog check testing equipment, the rear of the cars being tested must be outside the garage. He noted that other than the smog check, no servicing of the cars was performed outside the garage.

In response to an inquiry by Board member Ezzy Ashcraft whether he could post a sign asking the customers not to park on the street, Mr. Zergser replied that he could do that.

Acting President Kohlstrand noted that the condition prohibiting any cars being parked outside was almost impossible to meet.

Board member Ezzy Ashcraft noted that it would be preferable for a customer to pick up their car on the parking lot after hours, as opposed to on the street.

Board member McNamara noted that the applicant performed a public service by allowing the nearby church to use their parking lot.

The public hearing was closed for Board discussion.

Board member Ezzy Ashcraft noted that she understood the applicant's comments about the cars being outside the bay. She wanted the "no street parking" requirement to be followed, and believed it was reasonable for the owner to ask the customers not to park on the street.

Board member McNamara understood that the nature of smog check work required that part of the car be outside the garage. With respect to Condition 8, she believed that the Board should consider allowing some parking on the lot in an overnight situation, but not on the street.

Board member Cunningham suggested that another six-month review be implemented, in order to address the neighbors' concerns.

Board member Autorino noted that the requirement to not allow parked cars on the lot overnight was put in place for a reason, and believed that more input would be needed before making such a change.

Acting President Kohlstrand noted that any changes to the conditions had not been noticed, and believed it would be inappropriate to change the conditions at this time.

Mr. Thomas suggested that direction be given to staff and the applicant that another six-month review be implemented. The applicant should keep track of this specific situation, and that it be made clear that the preference was to not leave cars on the lot overnight. In six months, staff would return with that information for discussion, and a new resolution which would be noticed if the condition were to be changed.

Acting President Kohlstrand suggested that a condition be added to address the work being done inside the bays.

In response to an inquiry by Board member McNamara regarding overnight parking, Mr. Thomas stated that if a customer's car was not picked up in time, that it was preferred that it be parked on the lot rather than on the street. Any complaints should be directed to the City's Code Enforcement department, which would also keep track of the calls.

Ms. Mooney noted that with the information gathered, it could be decided whether any changed in conditions would be agendized.

Acting President Kohlstrand noted that she was uncomfortable directing staff not to enforce a condition. She would be more comfortable implementing a six-month review, when additional reporting on conditions 6 and 8 would be available. If the Board intended to change the conditions at that time, the neighbors would have a chance to speak up. She added that any complaints would be fully investigated, and that

Board member Autorino noted that if a customer did not show up, it should be considered as a contingency only, and that the owner should keep track of those incidents. He noted that would give better data for the next review.

Board Member Ezzy Ashcraft moved to accept the Required Six Month Review of Use Permit for the extended hours of operation for the Alameda Valero Gas Station, and that the owner be directed to track how many cars were stored overnight on-site; that information will be incorporated into a future review to occur within 6 months.

Board member McNamara seconded the motion, with the following voice vote – 5. Noes: 0 Absent: 2 (Cook/Lynch); Abstain: 0. The motion passed.

8-B. **PLN07-0031 and DR07-0086 – RHP Design Group – 2424 Encinal Avenue (KFC Restaurant).** The project entails the complete demolition of the existing 2,366 square foot restaurant and a Design Review for the construction of an approximately 2,016 square foot new restaurant. The restaurant will contain a drive-through, which requires a Use Permit pursuant to AMC 30-4.9A.c.1(r) A parking exception is required for this project, because the eight parking spaces provided for this project are less than the required 20 parking spaces pursuant to AMC 30-4.9A.g.8. The project is located in a C-C-T, Community Commercial Theatre District.

Board member Ezzy Ashcraft requested that this item be presented on the Regular Agenda when it has been re-agendized.

Board Member Cunningham moved to continue this item to a future meeting date.

Board member McNamara seconded the motion, with the following voice vote – 5. Noes: 0 Absent: 2 (Cook/Lynch); Abstain: 0. The motion passed.

8-C. **Finding of Consistency for 860 Atlantic.** A proposed finding of the consistency for the use of the property and buildings at 860 Atlantic Avenue in the Marina Village Master Plan area for use by the Peralta Community College District for educational purposes. (AT)

Mr. Thomas presented the staff report, and recommended approval of this item.

Board Member Cunningham moved to approve the item.

Board member Ezzy Ashcraft seconded the motion, with the following voice vote – 5. Noes: 0 Absent: 2 (Cook/Lynch); Abstain: 0. The motion passed.

8-D. **Green Building Guidelines – City of Alameda, 2263 Santa Clara Avenue.** Recommendation to the City Council to approve a resolution providing, as official City reference documents, the Alameda County Residential Green Building Guidelines, U.S.

Green Building Council's Leadership in Energy and Environmental Design (LEED™) Rating System, and Bay Friendly Landscape Guidelines.

Board Member Cunningham moved to recommend to the City Council to approve a resolution providing, as official City reference documents, the Alameda County Residential Green Building Guidelines, U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED™) Rating System, and Bay Friendly Landscape Guidelines.

Board member McNamara seconded the motion, with the following voice vote – 5. Noes: 0 Absent: 2 (Cook/Lynch); Abstain: 0. The motion passed.

9. REGULAR AGENDA ITEMS:

9-A. Draft Pedestrian Plan. A request for Planning Board review and recommendation on the City of Alameda Pedestrian Plan. The Pedestrian Plan establishes improvement and funding priorities for improvements for pedestrian facilities throughout the City to make Alameda a more walkable community and encourage walking as an alternative to the automobile. The draft plan was prepared by the City of Alameda Pedestrian Task Force and the City of Alameda Public Works Department. (GP).

Ms. Payne, Public Works, summarized the staff report and described the components of the Pedestrian Plan in detail.

The public hearing was opened.

There were no speakers.

The public hearing was closed for Board discussion.

Acting President Kohlstrand noted that she had served on the Pedestrian Task Force, and commended Ms. Payne on the incredible amount of work that she did on this study. She noted that there was concern about the possible funding, and that it was good to see the list of outside funding sources identified in the report.

Board member Autorino noted that this was an extremely impressive document.

Board member Cunningham noted that this was a very thorough document, and inquired whether there was language or direction to develop the pieces of land. Ms. Payne noted that would be presented in the fall.

Board member McNamara complimented Ms. Payne on the thoroughness of this report.

Board member Ezzy Ashcraft noted that times had changed, and that not every child could walk to school. She supported education about pedestrian and crossing issues, and encouraged people to walk more. She supported incentives to increase pedestrian uses.

Board Member Cunningham moved to support a recommendation on the City of Alameda Pedestrian Plan that child safety be reviewed for all schools not just public schools. The

Pedestrian Plan establishes improvement and funding priorities for improvements for pedestrian facilities throughout the City to make Alameda a more walkable community and encourage walking as an alternative to the automobile..

Board member McNamara seconded the motion, with the following voice vote – 5. Noes: 0 Absent: 2 (Cook/Lynch). The motion passed.

9-B. Estuary Crossing Feasibility Study Update. A presentation and update on the City of Alameda Estuary Crossing Feasibility Study. The study examines alternatives for improving pedestrian, bicycle, and transit access across the Oakland Alameda Estuary on the West End of Alameda in the vicinity of the Webster and Posey Tubes. The presentation is for informational purposes. No action by the Planning Board is being requested at this time. The City of Alameda Public Works Department is preparing for the study. (GP)

Ms. Payne presented the staff report.

The public hearing was opened.

There were no speakers.

The public hearing was closed for Board discussion.

No action was taken

10. WRITTEN COMMUNICATIONS: None.

11. BOARD COMMUNICATIONS:

12. ADJOURNMENT: 8:53 p.m.

Respectfully submitted,

Andrew Thomas, Secretary
City Planning Board

This meeting was audio taped.